

# Draft Clean Water Act Section 303(D) List of Impaired Waters 2002 Update

## California Regional Water Quality Control Board San Diego Region



Winston H. Hickox  
Secretary for  
Environmental  
Protection



Gray Davis  
*Governor*

# Outline

- Staff Presentations (background, methods, listing recommendations, public process)
- Staff Replies to Written Comments (priority to those received by 28 Nov. 01)
- Submittal of Additional Public Comments (oral presentations limited to 5 minutes)

# Cooperative Nature of the 303(d) Process

- The Goal: Safe, Clean Waters that Protect all Beneficial Uses
- The Problem: Insufficient Data and Resources
- One Solution: Increased Awareness, Better Coordination and an Organized Approach to Watershed Issues

# 303(d) Report Package

- Staff Report                      Background and Listing Rationale
- Tables                              Table 1: 1998 303(d) List  
   Table 2: Data Reviewed  
   Table 3: 2002 List Recommendations  
   Table 4: Bacterial Beach Listings  
   Table 5: Combined 303(d) Lists  

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   Table 6: Constituents of Potential Concern
- Figures                              Maps of Listed Waters
- Appendix A                          Public Participation and Solicitation
- Appendix B                          Fact Sheets

# Role of the Regional Board

- Regional Boards Solicited and Analyzed Data and made Recommendations to the State Board
- Presented draft 303(d) List only as an Informational Item to Board Members. No *Formal* Action was taken.
- Conduct *informal* Public Workshop
- Continue to advise the State Board during the *formal* process

# Role of the State Board

- Formulate a single, statewide List
- Formal Public Workshop(s)
- Written responses to public comments
- Conduct formal public hearing(s) and adopt the statewide List for submittal to USEPA.

# Scheduling

- Oct. 23, 01** Draft 303(d) List 2002 Update posted on website
- Oct. 24, 01** List presented to Regional Board Members as a status report / informational item
- Oct. 31, 01** Staff report submitted to SWRCB
- Dec 5, 01** Public Workshop
- Winter, 01-02** State Board conducts formal process
- Spring, 02** SWRCB conducts a formal Public Hearing(s) & considers adoption of Section 303(d) List

# Historical Perspective

A photograph of a concrete culvert pipe discharging into a rocky stream bed. The water is murky and turbulent. A chain-link fence is visible in the background.

Section 303(d) of the federal Clean Water Act (33 USC 1250, et seq, at 1313(d) requires States, Territories and authorized Tribes to submit to USEPA a list of impaired waterbodies and the pollutant(s) for which this impairment exists.



# TMDL

Total Maximum Daily Load

Listed waterbodies are prioritized for TMDL development

TMDLs establish allowable loadings to restore Beneficial Uses and achieve Water Quality Objectives

# Data Collection

- Federal regulations [40 CFR 130.7(a) and (b)] require states to assemble and evaluate *all existing and readily available* water quality related data and information
- Solicitation: Letter, newspapers, website and phone calls
- Public Workshops: April and May, 2001
- Data Requested: July 1, 1997 to May 15, 2001

# Data Reviewed

- Fifty-six unique sets of “data” reviewed

- Data Types

  - Physical (temperature, turbidity, pH, etc.)

  - Chemical (organics and inorganics)

  - Aquatic Life Tissue Concentrations

  - Photos, Newspaper Articles and Testimonials

# Listing Factors

- Effluent limitation or other pollution control requirement (BMPs) are not stringent enough
- A fishing, drinking water or swimming advisory is currently in effect
- Beneficial Uses are impaired or expected to be impaired due to poor water quality
- Tissue concentrations in fish or shellfish exceed applicable criteria

# De-listing Criteria

- Water Quality Objectives are revised and the exceedance is thereby eliminated
- A Beneficial Use has been de-designated
- Faulty data led to the initial listing
- New data shows that Water Quality Objectives are being met and Beneficial Uses are not impaired
- A TMDL has been approved by USEPA
- New regulatory control measures are in place which result in attainment of Water Quality Objectives and protection of Beneficial Uses (requires data)

# Data Evaluation Criteria

- Basin Plan Water Quality Objectives (includes MCLs)
- California and National Toxics Rule
- Policy for the Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California
- California Ocean Plan
- Criteria developed by the USEPA, CDF&G, CDHS, USFDA and NAS

# Data Evaluation Methods

- General listing guidance was provided by both USEPA and the SWRCB
- Quantity: no minimum requirements for number of sampling events, data points or frequency of exceedances
- Nature: integrators over space and time weighted more than those specific to time and location
- Averages, Medians and Degree of Exceedance
- Weight of Evidence
  - ultimately a judgement decision
  - clear rationale needed to support the listing

# TMDL Priority Ranking

- High, Medium and Low Rankings
- Waterbody Significance
- Degree of Impairment
- Compatibility with Related Activities in the Watershed
- Potential for Beneficial Use Protection and Recovery
- Degree of Public Concern and Involvement
- Availability of Funding and Info to address the Problem
- Overall need for an Adequate Pace of TMDL Development

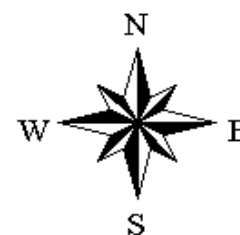
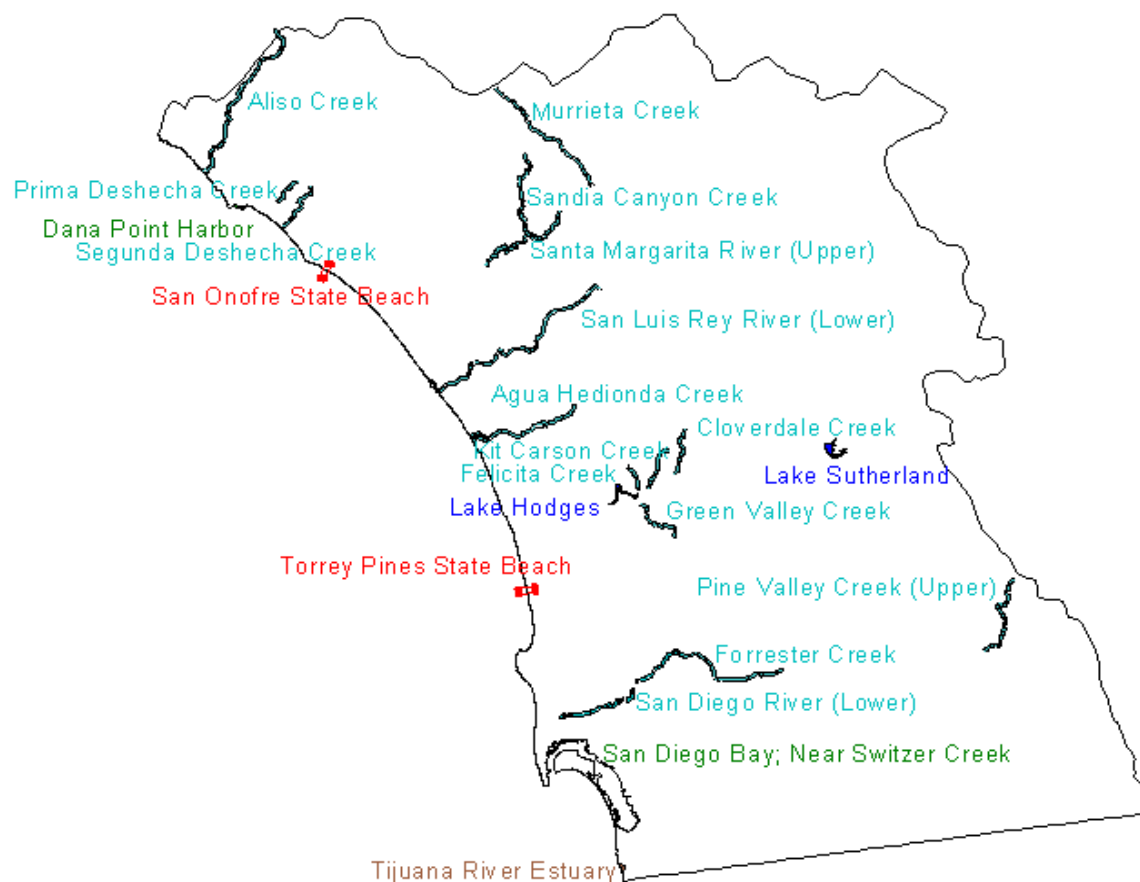




# 303(d) Draft Changes

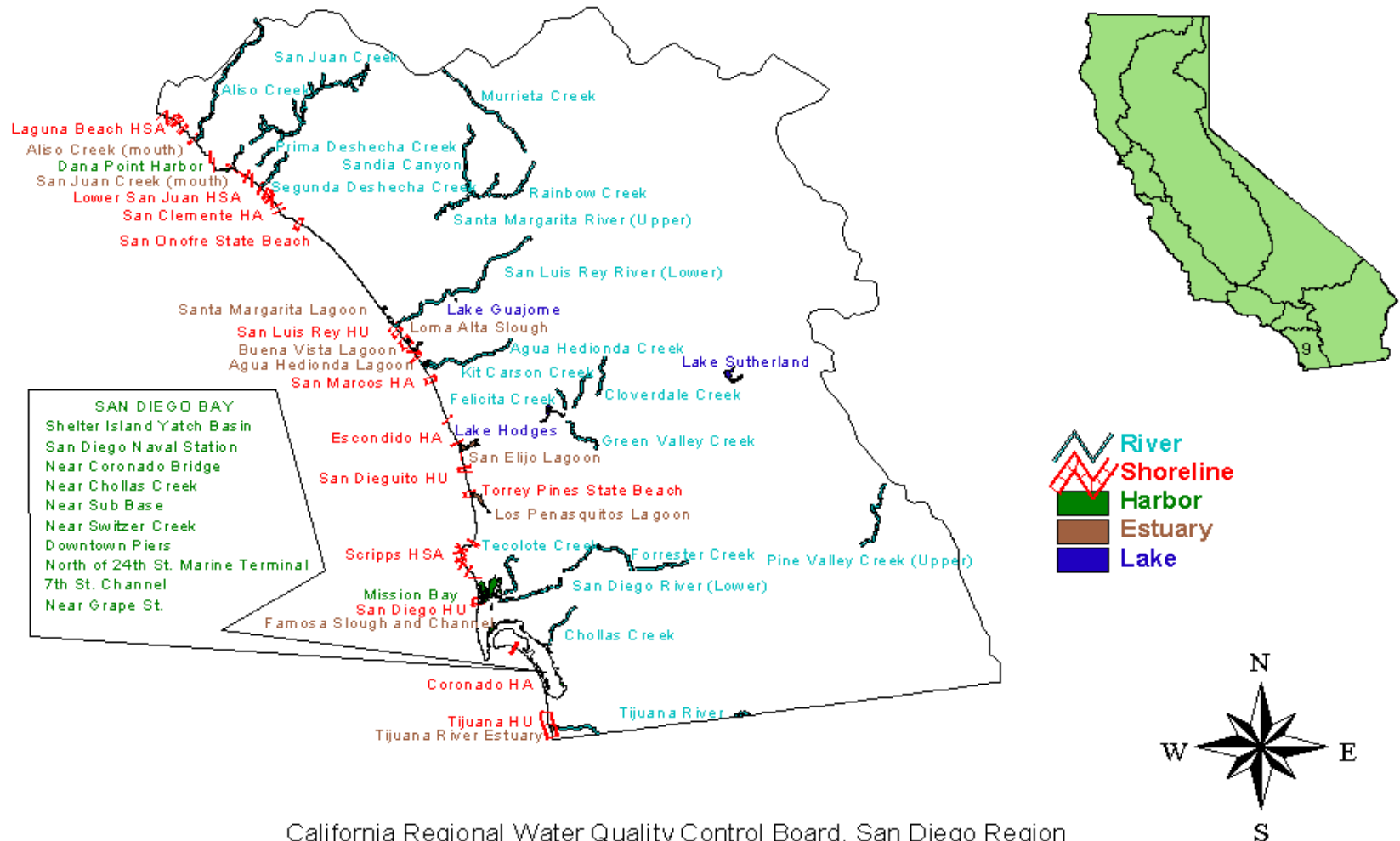
- 19 New Waterbodies
- 13 New Pollutants
- Addition of 4 Pollutants to Previously Listed Waterbodies
- Change the Extent of Impairment for 19 Previously Listed Waterbodies
- No de-Listings
- Previously Listed Waterbodies were only Re-evaluated if New Data / Information was Available

# 2002 303(d) Waters



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# 1998 + 2002 303(d) Waters



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# Beach and Bay Listings

- Nature of Contamination poses *immediate* Public Health Risk
- Beach Closures can Negatively Impact Economy



# Criteria for Listing

Location has been posted with General Advisory Sign or Beach Closure Sign more than 10 days per year



Location has Permanent Health Risk Signs



# Beach and Bay Bacterial Listings

- Two additions to 1998 List
- Remaining listings delineated with increased Extent of Impairment (0.4 shoreline miles)
  - Based on “Santa Monica Bay Restoration Project” Epidemiology Study (1996).

# Mission Bay TMDL

- First Total Maximum Daily Load (TMDL) in Region 9 for Bacteria
- Resulting information can be used for subsequent beach / bay TMDLs



# Conclusion



# Contact Information

## Regional Board

General e-mail      [303dlist@rb9.swrcb.ca.gov](mailto:303dlist@rb9.swrcb.ca.gov)

Website:              [www.swrcb.ca.gov/rwqcb9/](http://www.swrcb.ca.gov/rwqcb9/)

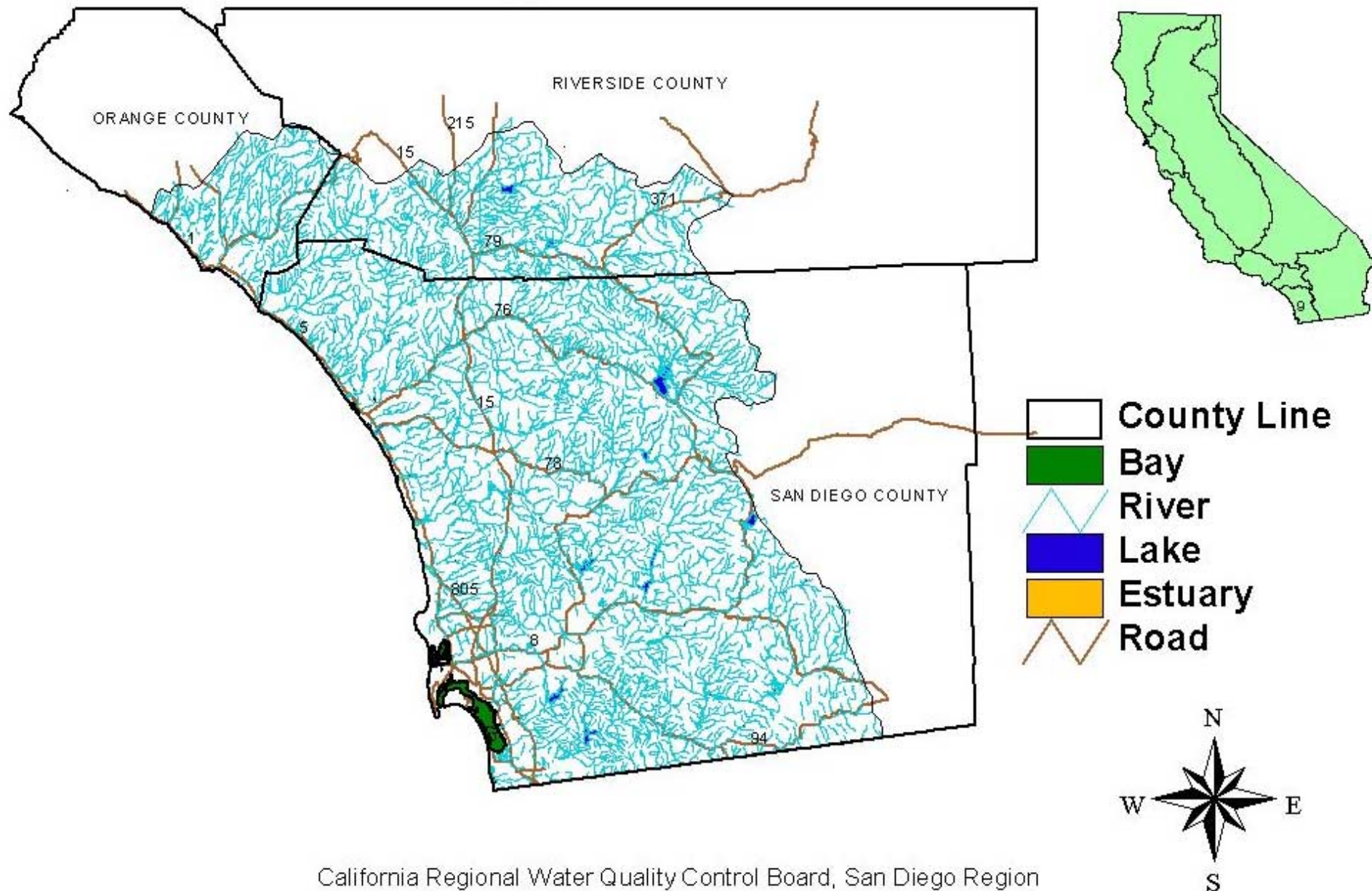
Jimmy Smith          (858) 467-2732  
                             [smitj@rb9.swrcb.ca.gov](mailto:smitj@rb9.swrcb.ca.gov)

Christina Arias        (858) 627-3931  
                             [ariac@rb9.swrcb.ca.gov](mailto:ariac@rb9.swrcb.ca.gov)

State Board:        [www.swrcb.ca.gov](http://www.swrcb.ca.gov)

USEPA:              [www.epa.gov](http://www.epa.gov)

# Region 9

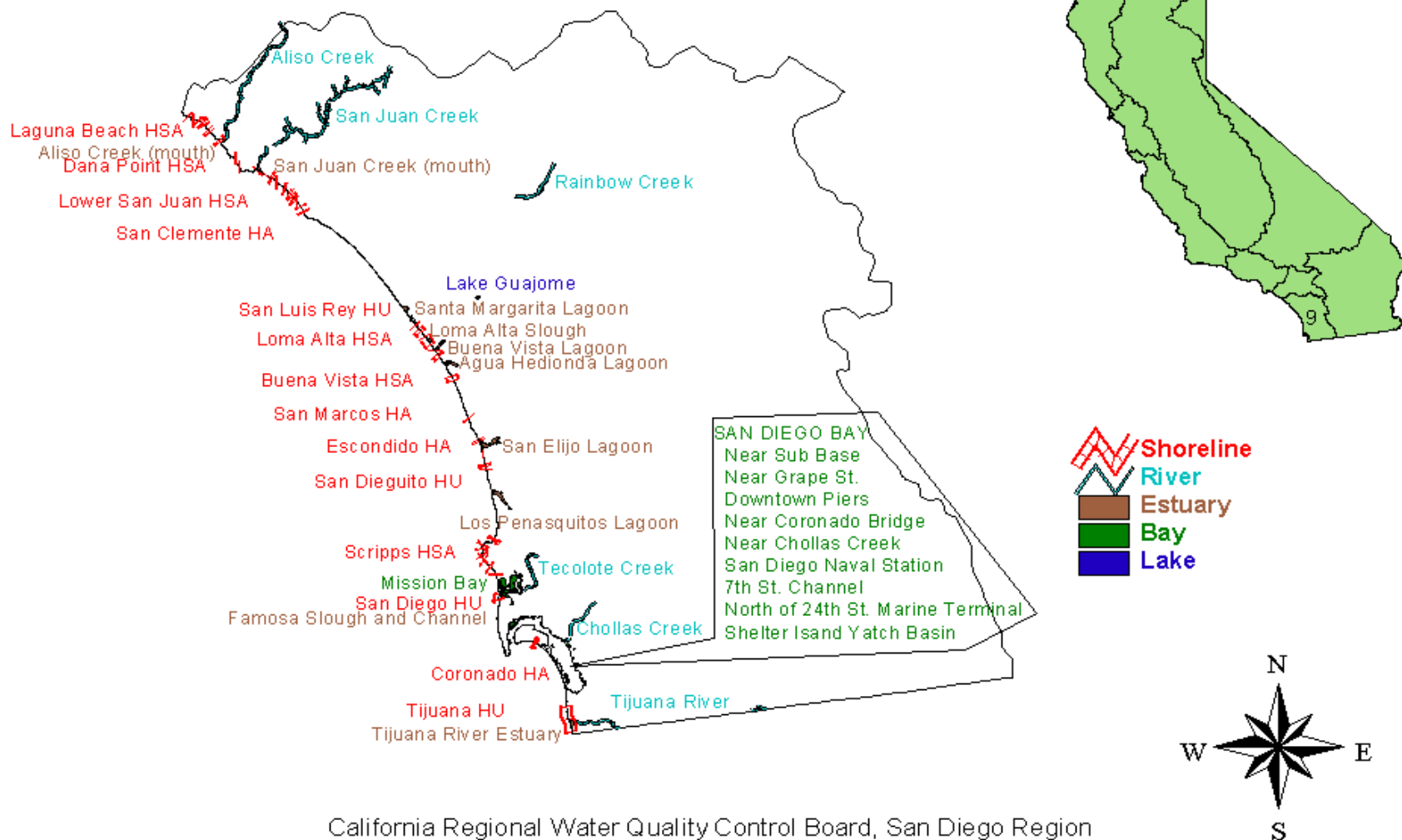


# Historical Listings

- First listings in 1976 and subsequently updated every 2 years
- Last Update in 1998:
  - 36 waterbodies
    - (17 coastline, 6 rivers and creeks, 2 bays and 1 lake)
  - 19 pollutants
  - 69 distinct combinations of waterbody / pollutant

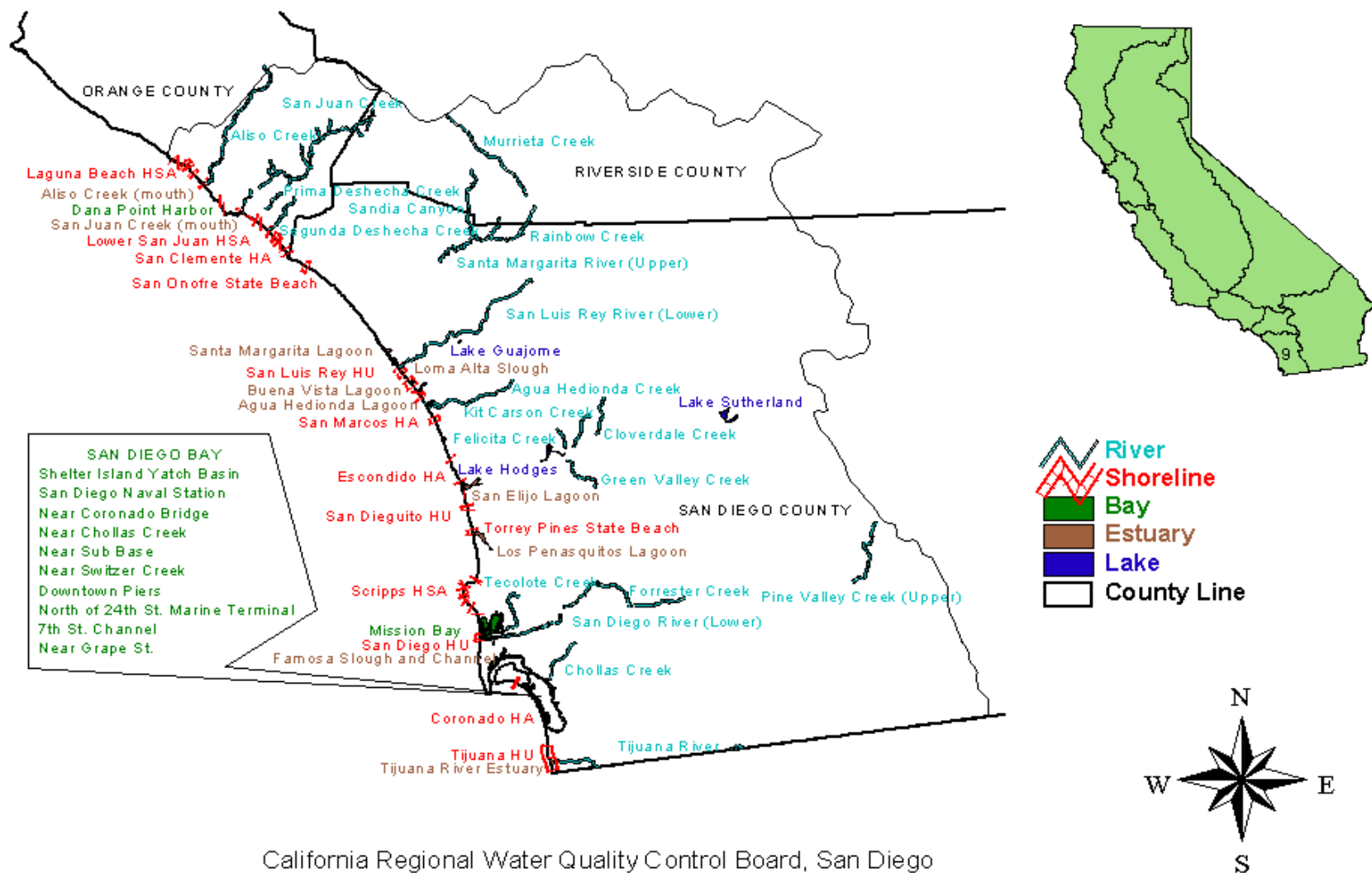
# Figure 1

## 1998 303(d) Waters





# 1998 + 2002 303(d) Waters



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Hydrologic Subarea	Waterbody	Pollutant	Hydrologic Subarea	Waterbody	Pollutant
901.13	Aliso Creek	Enterococci	905.21	Lake Hodges	Color
		Escheria coli			Nitrogen
		Fecal coliform			Phosphorus
		Phosphorus			TDS
		Toxicity	905.23	Kit Carson Creek	TDS
901.14	Dana Point Harbor	Dissolved Copper	905.23	Sutherland Reservoir	Color
901.31	Prima Deshecha Creek	Phosphorus	906.10	Torrey Pines State Beach	Beach Closures
		Turbidity	907.21	Forrester Creek	Fecal coliform
901.51	San Onofre State Beach	Beach Closures			pH
901.31	Segunda Deshecha Creek	Phosphorus			Specific Conductance
		Turbidity			TDS
902.52	Murrieta Creek	Phosphorus	907.12	San Diego River (Lower)	Chlordane
902.22	Sandia Creek	Iron			Dissolved Oxygen
		Sulfate			Fecal coliform
		TDS			Phosphorus
902.22	Santa Margarita River (upper)	Phosphorus			TDS
		TDS	908.10	SD Bay - Kellog Street Beach	Beach Closures
903.11	San Luis Rey River	Chloride	908.10	SD Bay - Shelter Is. Shoreline Park	
		Total Dissolved Solids	908.22	Switzer Creek	Degraded
904.31	Agua Hedionda Creek	Diazinon			Toxicity
		TDS	910.10	SD Bay - Tidelands Park	Beach Closures
904.51	South Carlsbad State Beach	Beach Closures	911.30	Pine Valley Creek (upper)	Enterococci
905.31	Cloverdale Creek	Phosphorus	911.11	Tijuana Estuary	Dissolved Oxygen
		TDS			
905.23	Felicita Creek	TDS			
905.21	Green Valley Creek	Sulfate			